



8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA

10 BALSAS, LLC, ) Case No. CV 14-3196-UA (PJWx)  
11 Plaintiff, ) [PROPOSED] ORDER SUMMARILY REMANDING  
12 v. ) IMPROPERLY-REMOVED ACTION  
13 JOSE PERALTA, ET AL., )  
14 Defendants. )  
15 \_\_\_\_\_)

16 Before the Court is an unlawful detainer action that has been  
17 removed from the Los Angeles County Superior Court. For the following  
18 reasons, the case is summarily remanded to the Superior Court.

19 On April 25, 2014, Defendant Norma Gonzalez, having been sued in  
20 the Superior Court of Los Angeles in what appears to be a routine  
21 unlawful detainer action, removed the action to this court. Simply  
22 put, because Plaintiff could not have brought this action in federal  
23 court in the first place (because there is no subject matter  
24 jurisdiction), Defendant cannot remove it to this court. See 28  
25 U.S.C. § 1441(a); and *Exxon Mobil Corp. v. Allapattah Svcs., Inc.*, 545  
26 U.S. 546, 563 (2005). The case does not meet the requirements of 28  
27 U.S.C. § 1331 because it does not raise a federal question. Further,  
28 there is no diversity jurisdiction under 28 U.S.C. §§ 1332 because,

1 even if Defendant could establish that the parties are diverse, it is  
2 clear from the Complaint that the amount in controversy is less than  
3 \$10,000.

4 Accordingly, IT IS ORDERED that (1) pursuant to 28 U.S.C.

5 ~~S 1447(c), this matter is REMANDED to the Superior Court of~~

6 California, County of Los Angeles, 275 Magnolia Avenue, Long Beach,  
7 California 90802; (2) the clerk shall send a certified copy of this  
8 Order to the state court; and (3) the clerk serve copies of the Order  
9 on the parties.

10 IT IS SO ORDERED.

11 DATED: 5/7/14

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GEORGE H. KING  
UNITED STATES DISTRICT JUDGE

Presented by:

Patrick J. Walsh  
PATRICK J. WALSH  
UNITED STATES MAGISTRATE JUDGE

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